

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

*** FILED ***
08/15/2000

08/11/2000

CLERK OF THE COURT
FORM R115B

HONORABLE CHRIS E. WOTRUBA
FOR HON. NANCY K. LEWIS

E. Canas
Deputy

CR 1997-008238

FILED: _____

STATE OF ARIZONA

LARRY TUROFF

v.

ROY RAYMOND WATROUS
DOB: 11/25/1954

MICHAEL F MCCULLOUGH

APO-SENTENCE IMPRISONMENT-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
RFR

DISPOSITION HEARING PROBATION REVOKED - IMPRISONMENT

1:49 p.m. State is represented by Monica Strom for above-named counsel. Defendant is present and represented by above-named counsel.

Court Reporter, Tia Vanzandt, is present.

Probation Officer, Jennifer Meiley for Bobbi Magenti makes oral recommendation to the Court.

Counsel informs the Court that there is no further evidence to present.

The Defendant is given an opportunity to speak. Having found no legal cause for delay, the Court enters the following judgment and sentence:

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IT IS THE JUDGMENT of the Court that the Defendant violated the terms of probation imposed on upon release from DOC in CR97-08231 on the following charge(s), that upon consideration of all the facts, law and circumstances relevant here, the Court finds that suspension of sentence and reinstatement of probation are not appropriate and that a sentence of imprisonment with the Department of Corrections is appropriate.

IT IS THEREFORE ORDERED the probationary term previously granted is hereby revoked.

THE COURT FURTHER FINDS that there are circumstances sufficiently substantial to call for the term as indicated. These circumstances are stated by the Court on the record.

ACCORDINGLY, IT IS ORDERED that the Defendant is committed to the Arizona Department of Corrections for a term of imprisonment as follows:

OFFENSE: Count I: Possession of Dangerous Drugs

FELONY CLASS: 4

IN VIOLATION OF A.R.S. SECTIONS 13-3401, 3407, 3418, 701, 702, 801

DATE OF OFFENSE: 07/16/1997

SENTENCE: 2.5 years

PRESUMPTIVE

NONDANGEROUS

NONREPETITIVE

This sentence is to date from this date.

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The Defendant is to be given credit for 138 days served prior to sentencing.

IT IS FURTHER ORDERED that the Defendant shall serve one day for every seven days of the sentence imposed under the supervision of the Community Supervision Program, to be served consecutively to the actual period of imprisonment.

FINE: IT IS ORDERED that the Defendant shall pay a fine to the Clerk of the Superior Court of Maricopa County in the amount of \$1600.00, which equals \$1000.00 plus surcharges of 60%.

Pursuant to A.R.S. Section 13-808,

Payment shall be 30% of Defendant's earnings while incarcerated at the Department of Corrections commencing 1st day 2nd month and to continue until Defendant is released from the custody of the Department of Corrections. Upon release from the Department of Corrections, payment shall commence on the first day of the second month after Defendant is released from the Department of Corrections and said payment shall not be less than \$100.00 per month.

Fine is to be paid to the Arizona Drug Enforcement Fund.

IT IS FURTHER ORDERED that Defendant be given credit for any monies paid to date.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS ORDERED granting the motion to dismiss the allegations of violation of the remaining term(s) as set forth in the Petition to Revoke.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the custody of the Arizona Department of Corrections and authorizing the Department of Corrections to carry out the term of imprisonment set forth herein.

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ISSUED: Order of Confinement.

IT IS FURTHER ORDERED that the Clerk of the Superior Court remit to the Department of Corrections a copy of this order together with all presentence reports, probation violation reports, medical and psychological reports which are not sealed relating to the Defendant and involving this cause.

FILED: Notice of Rights of Review After Conviction

Let the record reflect that a written probation violation report has not been prepared.

cc: DOC - Certified Copy via Certification Desk

cc: MCSO-DIS - Certified Copy via Certification Desk

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Let the record reflect that the Defendant's thumbprint is permanently affixed to this sentencing order in open court.

2:04 p.m. Matter concludes.

/s/ HONORABLE CHRIS E. WOTRUBA
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)